

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

SOCIAL POSITIONING INPUT SYSTEMS,
LLC,

Plaintiff,

v.

KINEXON, INC.

Defendant.

C.A. No. 1:23-cv-00861 (MN)

JURY TRIAL DEMANDED

**DEFENDANT KINEXON, INC.'S MOTION TO DISMISS
FOR FAILURE TO STATE A CLAIM**

Kinexon, Inc. (“Kinexon”) respectfully moves this court to dismiss Plaintiff Social Positioning Input Systems, LLC’s (“Social Positioning”) Complaint, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, for failure to state a claim upon which relief can be granted. A Proposed Order is attached hereto.

The grounds for the motion are further set forth in Kinexon’s Opening Brief in Support of its Motion to Dismiss for Failure to State a Claim, which is being filed contemporaneously herewith.

Dated: August 30, 2023

FISH & RICHARDSON P.C.

/s/ Jeremy D. Anderson

Jeremy D. Anderson (No. 4515)
222 Delaware Avenue, 17th Floor
Wilmington, Delaware 19801
(302) 658-5070 (Telephone)
(302) 652-0607 (Facsimile)
janderson@fr.com

Neil J. McNabnay
Ricardo J. Bonilla
Noel F. Chakkalakal
Nan Lan
FISH & RICHARDSON P.C.
1717 Main Street, Suite 5000
Dallas, Texas 75201
mcnabnay@fr.com
rbonilla@fr.com
chakkalakal@fr.com
lan@fr.com

***COUNSEL FOR DEFENDANT
KINEXON, INC.***